

**FILED**

JUN 13 2006

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

1 KEVIN V. RYAN (CSBN 118321)  
 United States Attorney

2 MARK K. KROTOSKI (CSBN 138549)  
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6 Attorneys for Plaintiff

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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,    }  
 14 Plaintiff,    }  
 15 v.    }  
 16 ADRIAN GOMEZ ZEPEDA,    }  
 17 Defendant.    }

18  
19 No. CR 05-00523 DLJ  
 20 STIPULATION TO CONTINUE DATE  
 21 FOR CHANGE OF PLEA AND TO  
 22 EXCLUDE TIME; [PROPOSED] ORDER  
 23 OAKLAND VENUE

24 The United States of America, by its undersigned counsel, and defendant Adrian Gomez  
 25 Zepeda, by his undersigned counsel, hereby request and stipulate that the change of plea hearing  
 26 scheduled for June 16 at 9:00 a.m. be continued to July 14 at 9:00 a.m., and that time be  
 27 excluded until July 14. The reasons for this continuance and exclusion of time are as follows:

28 On June 12, defendant's attorney, Harris Tabak, called undersigned government  
 29 counsel and informed him that defendant Zepeda's brother had been brutally murdered over the  
 30 weekend. Mr. Tabak stated that his client needed to be with his family this week rather than  
 31 meeting with Mr. Tabak to review the plea agreement. Mr. Tabak stated that the next Friday  
 32 morning that Mr. Tabak would be available is July 14.

33 For these reasons, the parties request and stipulate that the change of plea hearing

34 STIP. TO CONTINUE CHANGE OF PLEA AND EXCLUDE TIME (Zepeda);  
 35 CR 05-00523 DLJ

1 scheduled for defendant Zepeda be continued from June 16 to July 14 at 9:00 a.m., and that time  
2 be excluded from now until July 14. The parties stipulate that, given the circumstances, the ends  
3 of justice served by this continuance and exclusion of time outweigh the best interests of the  
4 public and of the defendant in a speedy trial, and that, accordingly, an exclusion of time pursuant  
5 to Title 18, United States Code, Sections 3161(h)(8)(A) and (B) is appropriate.

6 **IT IS SO STIPULATED.**

7 DATED: June 12, 2006

Respectfully submitted,

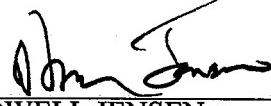
8 KEVIN V. RYAN  
9 United States Attorney

10  
11 DATED: June 12, 2006

12 By /s/  
13 W. DOUGLAS SPRAGUE  
14 Assistant U.S. Attorney

15 //  
16 DATED: June 13, 2006

17 By /s/  
18 HARRIS TABAK  
19 Attorney for Defendant Adrian  
20 Gomez Zepeda

21   
22 D. LOWELL JENSEN  
23 United States District Court Judge

24 **IT IS SO ORDERED.**

25 DATED: June 13, 2006

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27  
28 STIP. TO CONTINUE CHANGE OF PLEA AND EXCLUDE TIME (Zepeda);  
CR 05-00523 DLJ